

Message Text

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AMEMBASSY MANILA
AMEMBASSY SINGAPORE
CINCPAC
AMCONSUL MEDAN
AMCONSUL SURABAYA

S E C R E T SECTION 1 OF 2 JAKARTA 0723

E.O. 11652: GDS
TAGS: OVIP(DERIAN, PATRICIA), SHUM, ID
SUBJECT: ASSISTANT SECRETARY DERIAN'S JANUARY 12-14 VISIT TO JAKARTA

1. SUMMARY: IN CONVERSATIONS WITH PRESIDENT SUHARTO AND
OTHER TOP INDONESIAN OFFICIALS DURING HER JANUARY 12-14 VISIT
TO JAKARTA, MS. DERIAN OUTLINED U.S. COMMITMENT TO HUMAN NEEDS
AND HUMAN RIGHTS IN GENERAL AND TO DUE PROCESS OF LAW IN PAR-
TICULAR. SHE COMMENDED GOI FOR DECEMBER RELEASE OF 10,000
DETAINEES, NOTED THAT INITIAL ADVERSE PRESS PUBLICITY FROM
CRITICAL COMMENTS OF BURU RELEASEES WOULD IN LONG RUN BE
HEAVILY OUTWEIGHED BY LONG-TERM IMPROVEMENT IN GOI'S INTER-
NATIONAL REPUTATION, AND PRESSED FOR ACCELERATED RELEASE
OF REMAINING DETAINEES. WHILE REITERATING GOI COMMITMENT
TO HUMAN RIGHTS, PRESIDENT SUHARTO ARGUED THAT COMMUNITY'S
WELFARE TOOK PRECEDENCE OVER THAT OF INDIVIDUAL. ACTING

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FOREIGN MINISTER AND JUSTICE MINISTER MOCHTAR KUSUMAATMADJA
SPOKE OF HIS EFFORTS TO STRENGTHEN DUE PROCESS WITH NEW
LEGISLATION, AND MINISTER OF STATE FOR ECONOMIC AFFAIRS
WIDJOJO NITISASTRO OUTLINED INDONESIA'S ECONOMIC PROBLEMS
AND PLANS. KOPKAMTIB CHIEF OF STAFF SUDOMO EXPLAINED MAN-
NER IN WHICH INDEPENDENT SOURCES MIGHT CHECK ON RELEASEES
AND CONFIRMED THAT ICRC VISIT TO DETENTION CENTERS WILL TAKE

PLACE AS SCHEDULED. IN PRIVATE MEETINGS, CIVIL RIGHTS ACTIVISTS YAP THIAM HIEN, BUYUNG NASUTION, PRINCEN, SJAHRIR AND HARIMAN SIREGAR EXPRESSED DOUBTS OVER GOVERNMENT'S COMMITMENT

TO DUE PROCESS OF LAW AND NOTED CONTINUED ARRESTS OF INDIVIDUALS UNDER EMERGENCY SUBVERSION PROVISIONS. BRIEF INTERVIEWS WITH LARGE NUMBER OF DETAINEES IN SALEMBA REHABILITATION CENTER (INCLUDING TAPOL LEADER CARMEL BUDIARDJO'S HUSBAND) CONFIRMED THAT CLASS B DETAINEES ARE DENIED LEGAL RECOURSE. THREE OF FOUR FORMER DETAINEES INTERVIEWED SPOKE OF INJUSTICES SUFFERED BY DETAINEES BUT INDICATED BELIEF THAT 1977 RELEASES WERE GENUINE. MS. DERIAN'S VISIT RECEIVED HEAVY PRESS ATTENTION, WHICH IS BEING REPORTED SEPTEL. MS. DERIAN WILL BE FORWARDING HER OWN IMPRESSIONS OF THE JAKARTA VISIT. FROM OUR STANDPOINT HERE THE VISIT WAS MOST USEFUL TO IMPRESS ON TOP GOI LEADERS THE IMPORTANCE WE ATTACH TO HUMAN RIGHTS. THIS WILL HELP OUR EFFORTS TO MAINTAIN AND HOPEFULLY ACCELERATE PROGRESS IN THIS FIELD. END SUMMARY.

2. IN JANUARY 13 EARLY MORNING MEETING WITH KOPKAMTIB CHIEF OF STAFF ADMIRAL SUDOMO MS. DERIAN COMMENDED GOI FOR OPEN MANNER IN WHICH DECEMBER RELEASES WERE MADE AND STATED THAT, WHILE ADVERSE PUBLICITY ARISING FROM SOME RELEASEES' STATEMENTS MAY HAVE BEEN DISAPPOINTING, PRESS REACTION WOULD HAVE BEEN MUCH MORE HARMFUL TO INDONESIA HAD ACCESS TO RELEASEES BEEN DENIED. MS. DERIAN EXPRESSED STRONG
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HOPE THAT RELEASE OF REMAINING DETAINEES COULD BE ACCELERATED, NOTING THAT A NUMBER OF RELEASES BEGINNING EARLY IN YEAR MIGHT POSE LESS OF AN ADMINISTRATIVE BURDEN THAN MASS RELEASE OF 10,000 AT ONE TIME IN DECEMBER. SHE ADDED THAT RELEASING LIST OF NAMES OF THOSE ALREADY FREED WOULD GREATLY HELP OVERCOME CONTINUING SKEPTICISM.

3. SUDOMO REPLIED THAT PUBLICATION OF NAMES WOULD ENDANGER SECURITY OF FORMER DETAINEES BUT OUTLINED MANNER IN WHICH RESPONSIBLE ORGANIZATIONS MIGHT OBTAIN THEM FROM MILITARY AUTHORITIES. WHEN MS. DERIAN ASKED WHETHER RED CROSS MIGHT UNDERTAKE THIS ROLE, SUDOMO ANSWERED IN AFFIRMATIVE. AFTER OUTLINING PAST DIFFICULTIES WITH ICRC, HE CONFIRMED THAT GOI-ICRC RELATIONS WERE NOW GOOD AND RED CROSS VISITS TO DETENTION CENTERS WOULD RESUME LATE THIS MONTH OR IN EARLY FEBRUARY. SUDOMO ALSO AGREED TO MS. DERIAN'S SUGGESTION THAT INTERNATIONAL ORGANIZATIONS HELP SUPPLY MEDICINES TO DETAINEES, MANY OF WHOM SEEM TO BE SUFFERING FROM TUBERCULOSIS AND OTHER DISEASES.

4. IN MEETING WITH ACTING FOREIGN MINISTER AND JUSTICE MINISTER MOCHTAR KUSUMAATMADJA LATER IN MORNING, MS. DERIAN

REITERATED HER BELIEF THAT OPEN MANNER OF RECENT RELEASES WOULD PAY LONG-TERM DIVIDENDS AND RECOMMENDED THAT REMAINING DETAINEES BE FREED ON ACCELERATED SCHEDULE. MOCHTAR DESCRIBED IN DETAIL INTERNAL CIRCUMSTANCES WHICH LED TO 1965 BREAKDOWN IN ORDER AND ARRESTS. MS. DERIAN RESPONDED THAT QUESTION WAS NOT WHETHER DETAINEES WERE INNOCENT OR GUILTY OF HARMING SOCIETY BUT WHETHER THEY HAD BEEN AFFORDED DUE PROCESS OF LAW. SHE NOTED THAT INTERNAL SECURITY REACTIONS HAVE OFTEN BEEN SOURCE OF INTERNAL AND EXTERNAL PROBLEMS AND SUGGESTED THAT INDONESIA MAKE LONG-RANGE PLANS FOR FUTURE. ACKNOWLEDGING THAT CIRCUMSTANCES WHICH LED TO 1965 EVENTS WERE UNLIKELY TO BE REPEATED, MOCHTAR AGREED THAT CURRENT EMERGENCY ARRANGEMENTS SHOULD NOT CONTINUE AND REVEALED THAT AS JUSTICE MINISTER, HE HIMSELF IS DRAFTING A BILL ON CRIM-
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INAL PROCEDURES WHICH INTER ALIA WOULD SET FORTH RIGHTS OF ACCUSED INCLUDING LEGAL COUNSEL AND PAYMENT OF DAMAGES IN CASES OF ILLEGAL DETENTION. NOTING THAT HEHAD STARTED ONE OF INDONESIA'S FIRST LEGAL AID CENTERS, MOCHTAR FELT BIGGEST PROBLEM WAS PROVIDING POPULATION LEGAL REPRESENTATION, PARTICULARLY IN RURAL AREAS.

5. FOR MS. DERIAN'S AND PARTY'S VISIT TO JAKARTA LEGAL AID CLINIC, BUYUNG NASUTION HAD ASSEMBLED SEVERAL WELL-KNOWN CIVIL RIGHTS ACTIVISTS AND GOVERNMENT OPPOSITIONISTS INCLUDING MALARI DETAINEES SJHRIR, HARIMAN SIREGAR, AND J.C. PRINCEN. NASUTION BEGAN BY EXPRESSING REGRET THAT PEOPLE OUTSIDE HIS COUNTRY SEEMED TO BE DOING MORE TO IMPROVE INDONESIAN HUMAN RIGHTS SITUATION THAN THOSE INSIDE.

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RELATING HER PERSONAL FRUSTRATIONS IN MISSISSIPPI, MS. DERIAN URGED THE GROUP NOT TO BECOME DISCOURAGED AND, AS ON OTHER OCCASSIONS DURING VISIT, STRESSED THERE IS NO SUBSTITUTE FOR INDIGENOUS ORGANIZATIONS. IN RESPONSE TO MS. DERIAN'S QUERY, NASUTION EXPRESSED BELIEF THAT RECENT RELEASEES WERE BEING ACCEPTED AND CARED FOR BY THEIR FAMILIES AND SAID HIS ORGANIZATION WOULD ADVOCATE GOVERNMENT'S RESTORING SALARY AND PERHAPS BACK PAY TO THE MANY OF THEM WHO WERE FORMER STATE EMPLOYEES. HE NOTED THAT IN SOME CASES RELEASEES' HOUSES HAD ALSO BEEN CONFISCATED. PRINCEN EXPRESSED DOUBT THAT FULL 10,000 HAD BEEN RELEASED IN DECEMBER AND SAID OTHERS WERE STILL BEING PICKED UP. WHEN SJAHRIK AND SIREGAR PRESSED FOR MORE U.S. PRESSURE ON GOI, MS. DERIAN OUTLINED STEPS USG CURRENTLY TAKING IN IMPLEMENTING LEGISLATIVE STIPULATIONS REGARDING BILATERAL AND IFI ASSISTANCE PROGRAMS, NOTED THAT DIRECT USG INTERVEN-
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TION WOULD CAUSE HIGHLY COUNTER-PRODUCTIVE REACTIONS IN EVEN POOREST COUNTRIES AND POINTED OUT IMPOSSIBILITY OF ADVANCING HUMAN RIGHTS BY DEPRIVING PEOPLE OF THEIR HUMAN NEEDS.

6. AFTER LUNCH WITH HIGH RANKING FONDEPT OFFICIALS HOSTED BY MOCHTAR, MS. DERIAN, DAS SIEVERTS, KENNEY AND POLITICAL COUNSELOR GARDNER SPENT OVER ONE HOUR WALKING THROUGH SALEMBA REHABILITATION CENTER. DURING BRIEF TOUR OF DISPENSARY, THEY MET TAPOL LEADER CARMEL BUDIARDJO'S HUSBAND, WHO WAS SUFFERING FROM ATTACK OF BRONCHITIS BUT STATED HE WAS OTHERWISE IN GOOD HEALTH. IN BRIEF CHATS THROUGH PRISON INTERPRETERS WITH DETAINEES, MOST OF WHOM WERE LINED UP IN FRONT OF CELLS LABELED WITH OCCUPANT'S NAME, MS. DERIAN ASKED WHETHER ACCESS TO A LAWYER HAD BEEN PERMITTED. ALL RESPONSES WERE IN NEGATIVE AND SECURITY AUTHORITIES EXPLAINED THAT LEGAL ASSISTANCE WOULD NOT HELP SINCE CHARGES HAD NOT BEEN FILED AGAINST CLASS B DETAINEES. SOME PRISONERS HAD BEEN DETAINED AS RECENTLY AS ONE YEAR

AGO -- CONFIRMING THAT DETENTIONS WITHOUT TRIAL HAVE CONTINUED (THE "X" AND "Y" CLASS PRISONERS). SEVERAL INDICATED THEY HAD LOST CONTACT WITH THEIR FAMILIES. OTHERS SAID THEY RECEIVED REGULAR VISITS, MAIL AND PACKAGES. ISOLATION BLOCK CONTAINED A NUMBER OF PRISONERS, SOME THREE TO A CELL, WHO STATED THAT THEY WERE PERMITTED OUT OF CELLS FOR ONLY ONE-HOUR PERIODS TWICE A DAY. CELLS RESEMBLE SMALL RESTRAINING CAGES USED FOR IONS IN ZOOS. PRISONERS WERE RELATIVELY WELL DRESSED IN CLOTHES MOST SAID HAD BEEN OBTAINED FROM FAMILIES. GROUNDS, DISPENSARY, KITCHEN AND CELLS WERE IN NEAT AND, BY INDONESIAN STANDARDS, GOOD CONDITION, BUT THERE WERE SIGNS OF SPECIAL PREPARATIONS FOR THE VISITORS, SUCH AS OBVIOUSLY NEW SHEETS ON EVERY COT.

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7. LATE JANUARY 13 MEETING WITH MINISTER OF STATE FOR ECONOMIC AFFAIRS WIDJOJO NITISASTRO FOCUSED PRIMARILY ON INDONESIA'S ECONOMIC NEEDS AND GOI'S EFFORTS TO MEET THEM. MSMS. DERIAN SAID SHE WAS IMPRESSED WITH MAGNITUDE OF INDONESIA'S ECONOMIC PROBLEMS AND ALSO WITH QUALITY OF LEADERSHIP DEALING WITH THEM. SHE ADDED THAT INTERNATIONAL ASSISTANCE TO INDONESIA WOULD BE AFFECTED BY POPULAR PERCEPTION OF PROGRESS IN THREE AREAS: THE RELEASE OF POLITICAL PRISONERS, CODIFICATION OF DUE PROCESS AND THE MANNER OF DEALING WITH POLITICAL DISSIDENCE.

8. WELL KNOWN ATTORNEY, CIVIL RIGHTS ACTIVIST AND PROTESTANT LEADER YAP THIAM HIEN, IN SATURDAY MORNING MEETING WITH MS. DERIAN AND PARTY, EXPRESSED BELIEF THERE HAD BEEN SOME PHYSICAL TORTURE OF DETAINEES ALTHOUGH FEW INDONESIANS WOULD TALK OF IT AND RELATED REPORT THAT INMATES OF RELATIVELY COMFORTABLE PLANTUNGAN WOMEN'S DETENTION CENTER IN CENTRAL JAVA HAD BEEN TRANSFERRED TO FAR WORSE SEMARANG PRISON WHEN THEY HAD REJECTED PRISON OFFICIALS' SEXUAL ADVANCES. HE SAID GOVERNMENT WAS CONTINUING TO ARREST WITHOUT WARRANT NOT ONLY COMMUNISTS BUT OTHER "POLITICAL EXTREMISTS" AND HE REFERRED IN PARTICULAR TO REVENT DETENTION AND RELEASE OF PROFESSOR ISMAIL SUNY (JAKARTA 0559). YAP SAW LITTLE HOPE FOR MARKED IMPROVEMENT IN IMMEDIATE FUTURE SINCE GOI WOULD CONTINUE TO PLACE FIRST PRIORITY ON POLITICAL STABILITY FOR ECONOMIC DEVELOPMENT, AND HE FEARED LEGISLATION BEING DRAFTED BY MOCHTAR WOULD NOT BE APPLIED TO CASES OF ALLEGED SUBVERSION.

9. DURING APPROXIMATELY ONE HOUR MEETING WITH PRESIDENT SUHARTO, MS. DERIAN EXCHANGED VIEWS ON HUMAN RIGHTS, STRESSING STATE'S OBLIGATION TO THE INDIVIDUAL WHILE PRESIDENT STRESSED INDIVIDUAL'S RESPONSIBILITIES TOWARDS

SOCIETY. MS. DERIAN ASKED SUHARTO TO CONSIDER ACCELERATING
RELEASES OF REMAINING 20,000 DETAINEES. MSM DERIAN ALSO
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RAISED INDOCHINA REFUGEE PROBLEM. THIS CONVERSATION IS
BEING REPORTED IN DETAIL BY SEPTEL.

10. IN MEETINGS WITH TWO RELEASEES AT THEIR HOMES AND TWO
AT THE EMBASSY, MS. DERIAN AND PARTY WERE TOLD THAT TR-
TURE OF DETAINEES HAD TAKEN PLACE, ALTHOUGH IT HAD BECOME
LESS COMMON IN LAST TWO YEARS, THAT HEALTH SERVICES WERE
HIGHLY INADEQUATE, THAT EFFORTS WERE MADE TO DECEIVE ICRC
VISITORS AND THAT PRISONERS DID NOT KNOW AND WERE GIVEN NO
OPPORTUNITY TO ANSWER CHARGES AGAINST THEM. THREE OF RE-
LEASEES EXPRESSED SOME FEAR OF RETALIATION FOR TALKING OF
THEIR PRISON EXPERIENCES WHILE FOURTH CAREFULLY AVOIDED
ANY COMMENTS CRITICAL OF GOVERNMENT. RELEASEES STATED,
HOWEVER, THAT THEY WERE COMPLETELY FREE IN CONTRAST TO
EARLIER RELEASEES, WHO UNDERWENT PERIOD OF HOUSE AND CITY
ARREST. HOMES OF TWO RELEASEES VISITED (NAMES AND ADDRESSES
WERE FURNISHED BY KOPKAMTIB) PLACED THEM IN JAKARTA'S MID-
DLE AND UPPER MIDDLE CLASSES. THEY NOTED THAT RELEASEES ALL
ATTRIBUTED THEIR FREEDOM TO PRESIDENT CARTER'S HUMAN RIGHTS
POLICIES. ONE RELEASEE WHO VISITED EMBASSY (FORMER BIN-
TANG TIMUR EDITOR TOM ANWAR) STATED THAT IT WAS IRONIC THAT
HE HAD BEEN IMPRISONED FOR HIS LEFT-WING ACTIVITIES, INCLUD-
ING PRESS ATTACKS ON THE UNITED STATES, AND RELEASED BY
PRESIDENT CARTER.

11. VISIT ATTRACTED MUCH INTEREST BY LOCAL PRESS AND SOME
OF MORE AGGRESSIVE REPORTERS ATTEMPTED TO "CRASH" MEETINGS
WITH YAP AND NASUTION. PRESS PLAY IS BEING REPORTED BY
SEPTEL.

12. COMMENT: WHILE SOME INDONESIANS (ESPECIALY MILITARY)
FAVOR CONTINUED PROLONGED DETENTION OF COMMUNISTS AND THEIR
SUPPORTERS, MOST KNOWLEDGEABLE AND ARTICULATE INDONESIANS
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WITH WHOM WE HAVE TALKD ARE PRIVATELY EMBARRASSED BY THIS
DENIAL OF BASIC RIGHTS TO THEIR COUNTRYMEN. MS. DERIAN'S
VISIT HAS, WE BELIEVE, REACHED THESE INDONESIANS' CONSCIENCE
WITHOUT EXCITING THE KEEN NATIONALIST SENSITIVITIES WHICH
HAVE SO FREQUENTLY HAMPERED OUR EFFORTS IN THE PAST.
EQUALLY IMPORTANT, IT HAS PROBABLY INCREASED OPPORTUNITIES
TO MONITOR INDONESIAN HUMAN RIGHTS PERFORMANCE BY OPENING

THE DOOR TO SALEMBA PRISON AND TO THE HOMES OF RELEASEES.
THIS WILL SIGNIFICANTLY ASSIST OUR CONTINUED EFFORTS IN THE
FIELD OF HUMAN RIGHTS.
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